

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

Plaintiff,

:

Case No. 3:07-cv-452

-vs-

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

:

PHILIP GENE KLINE, et al.,

Defendant.

ORDER COMPELLING DISCOVERY

This case is before the Court on Plaintiff's Motion to Compel (Doc. No. 19). Examination of the Motion showed that it was likely that an order compelling answers to interrogatories and production of documents should issue because there had been no response to those requests. The Court therefore ordered Defendant Philip Kline to show cause not later than March 15, 2009, why the Motion to Compel should not be granted.

Defendant Kline has failed to responded to the Order to Show Cause. It is accordingly ORDERED that the matters set forth in the United States' First Request for Admissions be, and they hereby are, deemed admitted. It is further ordered that Defendant Kline answer Plaintiff's First Set of Interrogatories under oath and produce the documents requested in Plaintiff's First Request for the Production of Documents not later than March 28, 2009.

March 17, 2009.

s/ **Michael R. Merz**
United States Magistrate Judge